



# **CITY OF HAYWARD**

## **AGENDA REPORT**

AGENDA DATE 01/16/01

AGENDA ITEM 5

WORK SESSION ITEM           

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT:** Authorization for Local Matching Funds for Federal Revenue Aligned Budget Authority (RABA) Funds for Street Repair

### **RECOMMENDATION:**

It is recommended that the City Council adopt the attached resolution authorizing submittal of an application for additional street rehabilitation funds.

### **BACKGROUND:**

Within the last few months, additional federal funds have become available to local jurisdictions for transportation projects. These funds are referred to as "Revenue Aligned Budget Authority" (RABA) funds, which are provided through the Surface Transportation Program (STP) and must be used only for street and road overlays. RABA is a mechanism to ensure that annual appropriations of federal transportation funding closely match the actual receipts from the federal fuel tax. Since actual revenues were higher than originally projected, the RABA provision was used to increase street and road overlay funding to local governments.

The Metropolitan Transportation Commission distributes the RABA funds to the Alameda County Congestion Management Agency, which further distributes the funds among planning areas by population. The cities of Hayward and San Leandro, along with Alameda County, have agreed to set respective targets for these funds based on population, as has historically been the case. The City of Hayward's fair share is \$376,550.

Staff recommends using the RABA funds to cover the shortfall on two previously approved federal STP-funded overlay projects, one on Hesperian Boulevard and one on Industrial Parkway.

On August 1, the bids for the Arterial Pavement Rehabilitation Phase I project, which includes the overlay of Industrial Parkway from Russ Road to Mission Boulevard, were opened. The bids ranged from approximately \$300,000 to \$320,000 over and above the engineer's estimate. Based on the bids received, Council rejected all bids and authorized re-advertising the project. Although staff believes that the high bids were due, in part, to the extraordinary economic climate at the time, it is likely that the re-bids for the project, when received in February, will

be about \$227,000 greater than the original engineer's estimate. Similarly, it is anticipated that the final engineer's estimate for the Arterial Pavement Rehabilitation Phase II, which includes the overlay from Hesperian Boulevard from Sleepy Hollow Avenue to the north City Limits, will also be at least \$200,000 greater than the rough engineer's estimate done for the original application, because of increased construction costs.

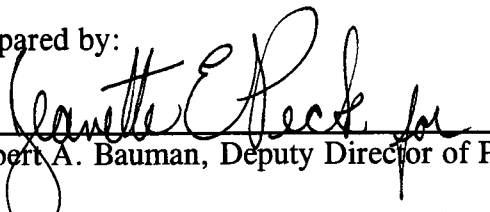
Since there is projected to be a shortfall in the original federal STP fund allocation, staff recommends that the RABA funds be used as follows:

<u>Project</u>	<u>RABA Funds Requested</u>	<u>Local Match Required</u>	<u>Total Project Cost</u>
Hesperian Boulevard Sleepy Hollow - No. City Limits	\$176,550	\$22,874	\$199,424
Industrial Parkway Ruus - Mission	<u>200,000</u>	<u>25,912</u>	<u>226,912</u>
Total	\$376,550	\$48,786	\$425,336


The RABA funds require the City to provide matching funds of 11.47 percent. Sufficient funds are available in the Street System Improvement Fund, for this purpose.

Once approved by the CMA, the City's request will be forwarded to the Metropolitan Transportation Commission, which will then include the projects in a Transportation Improvement Program (TIP) amendment that will be approved administratively in late February. Funds should be available sometime after that date. Applicable appropriation increases to the Arterial Pavement Rehabilitation Phase I and II projects to include these funds will be requested at award, after bids are known.


Prepared by:

  
Robert A. Bauman, Deputy Director of Public Works

Recommended by:

  
Dennis L. Butler, Director of Public Works

Approved by:

  
Jesús Armas, City Manager

# DRAFT

HAYWARD CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_

Introduced by Council Member

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR FEDERAL SURFACE TRANSPORTATION PROGRAM AND CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM FUNDING FOR LOCAL STREET OVERLAYS AND COMMITTING THE NECESSARY LOCAL MATCH FOR THE PROJECT(S) AND STATING THE ASSURANCE OF THE CITY OF HAYWARD TO COMPLETE THE PROJECT

WHEREAS, the Transportation Equity Act for the 21st Century (TEA 21) (Public Law 105-178, June 9, 1998) and the TEA 21 Restoration Act (Public Law 105-206, July 22, 1998) continue the Surface Transportation Program (23 U.S.C. section 133) and the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. section 149); and

WHEREAS, pursuant to TEA 21, and the regulations promulgated thereunder, eligible project sponsors wishing to receive Surface Transportation Program or Congestion Mitigation and Air Quality Improvement Program grants for a project shall submit an application first with the appropriate metropolitan transportation planning organization (MPO), for review and inclusion in the MPO's Transportation Improvement Program (TIP); and

WHEREAS, the Metropolitan Transportation Commission is the MPO for the San Francisco Bay region; and

WHEREAS, the City of Hayward is an eligible project sponsor for Surface Transportation Program or Congestion Mitigation and Air Quality Improvement Program funds; and

WHEREAS, the City of Hayward wishes to submit a grant application to the Metropolitan Transportation Commission for funds from the Surface Transportation Program or Congestion Mitigation and Air Quality Improvement Program in fiscal year 2000-2001 for the following projects:

Street Overlays on Industrial Parkway between Ruus Road and Mission Boulevard and on Hesperian Boulevard between Sleepy Hollow Drive to the North City Limits

WHEREAS, the Metropolitan Transportation Commission requires, as part of the Grant Application, a resolution stating the following:

- 1) the commitment of necessary local matching funds of at least 11.47 percent; and
- 2) that the sponsor understands that the Surface Transportation Program and Congestion Mitigation and Air Quality Improvement Program funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with Surface Transportation Program or Congestion Mitigation and Air Quality Improvement Program funds; and
- 3) the assurance of the sponsor to complete the project as described in the application, and if approved, as programmed in the Metropolitan Transportation Commission's TIP; and
- 4) that the sponsor understands that funds must be obligated by September 30, 2001, or the project may be removed from the program.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hayward, that the City Manager, or his designee, is authorized to execute and file an application for funding under the Surface Transportation Program or the Congestion Mitigation and Air Quality Improvement Program of TEA 21 in the amount of \$376,550 for street and road overlays; and

BE IT FURTHER RESOLVED, that the City of Hayward, by adopting this resolution does hereby state that:

- 1) The City of Hayward will provide \$48,786 in local matching funds; and
- 2) The City of Hayward understands that the Surface Transportation Program and Congestion Mitigation and Air Quality Improvement Program funding for the project is fixed at \$376,550 and that any cost increases must be funded by the City of Hayward from local matching funds, and that the City of Hayward does not expect any cost increases to be funded with Surface Transportation Program or the Congestion Mitigation and Air Quality Improvement Program funds; and
- 3) Local street overlays will be constructed as described in this resolution and, if approved, for the amount shown in the Metropolitan Transportation Commission (MTC) Transportation Improvement Program (TIP) with obligation occurring within the timeframe established below; and
- 4) The program funds are expected to be obligated by September 30, 2001.

BE IT FURTHER RESOLVED, that the Metropolitan Transportation Commission is requested to support the application for the project described in the resolution and to include the project, if approved, in the Metropolitan Transportation Commission's TIP; and

BE IT FURTHER RESOLVED, that a copy of this resolution will be transmitted to the Metropolitan Transportation Commission in conjunction with the filing of the application.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2001

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward